



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF PHARMACY

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PUBLIC MEETING NOTICE:	BOARD OF PHARMACY
DATE AND TIME:	Wednesday, March 15, 2017 9:30 am
PLACE:	Conference Room A, 2 nd Floor Cannon Building 861 Silver Lake Blvd., Dover, DE 19904
APPROVED:	with corrections April 19, 2017

MEMBERS PRESENT

Susan Esposito, R.Ph., Professional Member, President
Hooshang Shanehsaz, R.Ph., Professional Member, Vice President
Bonnie Wallner, R.Ph., Professional Member
Kimberly Robbins, R.Ph., Professional Member
Tejal Patel, PharmD, Professional Member
Jay Galloway, Public Member
Gayle MacAfee, Public Member

MEMBERS ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Christine Mast, Administrative Specialist III
Michelle McCreary, Pharmacist Compliance Officer
Samantha Nettesheim, Pharmacist Administrator
David Mangler, Director

ALSO PRESENT

Alison Porter
Heather Viohl
Jen Raubley
Steve Shipper
Kevin Musto
Amit Datwani

CALL TO ORDER

Ms. Esposito called the meeting to order at 9:30 a.m.

REVIEW OF MINUTES

A motion was made by Mr. Shanehsaz and seconded by Mr. Galloway to approve the meeting minutes for February 15, 2017 as amended. The motion carried.

UNFINISHED BUSINESS

Review of Letter from the Board for Newsletter - A motion to approve with corrections was made by Mr. Shanehsaz seconded by Ms. Wallner. The motion unanimously carried.
Statutory and Regulatory Discussion –

Telemedicine Pharmacy Regulations Change – A motion to move this agenda item until 10:30 am arrives was made by Mr. Shanehsaz seconded by Ms. Robbins. The motion unanimously carried.

10:30 am the Board returned to this agenda item. Mr. Adam Chesler and Ms. Meera Patel with Cardinal Health provided a web presentation on draft model telepharmacy regulations that Ohio currently has in place.

3PL Licensure – A motion was made by Ms. Robbins seconded by Mr. Shanehsaz to table until the April meeting to provide Ms. Kelly an opportunity to prepare for the next meeting. The motion unanimously carried.

PRESIDENT'S REPORT

Ms. Esposito provided the following report:

NABP Convention May 20-23, 2017, I have submitted paperwork for travel grant to attend and have registered.

PTCB: I received an email from Miriam Mobley offering to come and make a presentation to the Board at a future meeting. I have invited her to attend the April 19th meeting for this purpose. She indicated that the Technician fees are on the NABP State Law Survey 2016 section 13.

MPJE Writing Workshop: Michelle McCreary and Jim Kaminski were scheduled to attend the workshop, but it was cancelled due to the weather. Participation will be completed remotely.

DPS Health Presentations in Sussex County: I made two presentations at the Greenwood Public Library one on Feb 24th Heart 360/High Blood Pressure, and one on March 10th entitled Medication adherence. Beebe HealthCare Population Division provided nurses at both for blood pressure monitoring and at the second to do cholesterol screening. The last session will be on March 24th on Diabetes. The turn outs have not been high and we are looking at another time/date possibly with a Health Fair to get a larger population.

NEW BUSINESS

Prescriptive Prescriber Contact Information – Kevin Musto – Mr. Musto discussed electronic prescriptions with incorrect practitioner contact information. This makes reaching out to the prescribing practitioner very difficult and puts patient safety at risk. Often practitioners provide service to several locations for the same health care organizations. When the e-prescription is received the contact information is often for the main campus, and when the pharmacist tries to contact the practitioner the pharmacist discovers that the practitioner is not at the location indicated on the prescription. This makes it necessary to leave messages or place numerous calls to try to locate the practitioner. This results in the delay of dispensing the medication to the patient; in some cases 24-48 hours or more. This may jeopardize patient care depending on the medication prescribed. Mr. Musto stated that this scenario occurs 10-12 times per day in a busy pharmacy. Mr. Musto suggested that the Board require that the prescription include contact information specific to the location the patient was treated. Ms. Wallner stated regulation 5.1.13 addresses the requirements for e-prescribing and also federal laws apply as well. Board discussion ensued and a motion was made by Mr. Shanehsaz and seconded by Ms. Robbins to move this topic to the Legislative Committee for further discussion and resolution. The motion unanimously carried.

Ms. Esposito read into the record the following ratifications:

Pharmacist and Intern Licensure Approval Ratifications

Pharmacist:

A1-0005049 Eliezer N Ayettey
A1-0005050 Meghana R Fadadu

A motion was made by Mr. Shanehsaz and seconded by Ms. Wallner to approve the ratification of the Pharmacist applications. The motion unanimously carried.

Pharmacist Intern: None

Non-Resident Pharmacy Licensure Approval Ratifications

A9-0001961 Invotex LLC dba Fusion Pharmaceuticals

A9-0001962 Veterinary Internet Company Pharmacy
A9-0001963 TFP Wellness Systems dba Tampa Family Pharmacy, LLC
A9-0001964 Farmacia Libertad
A9-0001965 Hawthorne Pharmacy, LLC
A9-0001966 Prime Therapeutics Specialty Pharmacy LLC
A9-0001967 Walgreens Mail Service, LLC
A9-0001968 Geneva Pharmacy LLC
A9-0001969 Allegheny Health Network Home Infusion
A9-0001970 Allegheny Health Network Home Infusion
A9-0001971 Alliance Medication Services, LLC
A9-0001972 Gaston Pharmacy #2
A9-0001973 Kaiser Permanente Sterling Automated Refill Center
A9-0001974 ReCept Pharmacy, LP dba ReCept Pharmacy #101
A9-0001975 MailMyPrescriptions.com Pharmacy Corporation
A9-0001976 Pinnacle Pharmacy Solutions, LLC

A motion was made by Mr. Shanehsaz and seconded by Ms. Wallner to approve the ratification of the Non Resident Pharmacy applications. The motion unanimously carried.

Wholesale Distributor Licensure Approval Ratifications

A4-0002383 Pharmsource, LLC
A4-0002384 SterRx, LLC
A4-0002385 Cayman Chemical Company, Inc.
A4-0002386 West-Ward Pharmaceuticals Corp.
A4-0002387 Gavis Pharmaceutical, LLC
A4-0002388 Priority Healthcare Distribution, Inc. dba Curascript SD Specialty Distribution
A4-0002389 Anutra Medical, Inc.

A motion was made by Mr. Shanehsaz and seconded by Ms. Wallner to approve the ratification of the Wholesale Distributor applications. The motion unanimously carried.

Medical Gas Dispensers

None

Retail Pharmacy Licensure Approval Ratification

None

Non-Retail Pharmacy Licensure Approval Ratification

None

Outsourcing Facility

AD-0000037 SterRx, LLC

A motion was made by Mr. Shanehsaz and seconded by Ms. Wallner to approve the ratification of the Outsourcing Facility application. The motion unanimously carried.

Pharmacist-In-Charge Interviews

A motion was made by Mr. Shanehsaz and seconded by Mr. Galloway to amend the agenda to add the following for PIC interviews. The motion unanimously carried. Ms. Robbins conducted the Pharmacists in Charge interview.

Pharmacist-In-Charge – Alison Porter, Sam's Club, Dover, DE.

Ms. Tejal Patel arrived at 10:00 am.

Board Review of Facility Applications

None

Continuing Education Review

None

Pharmacist and Pharmacy - Discussion/Action Items

Medical Licensure and Discipline – Liaison Report – Ms. MacAfee prepared a letter to the Board of Medical Licensure and Discipline as requested during the meeting in February. The letter is meant to open dialog with both Boards related to dispensing physicians and the regulatory challenges both Boards manage. It addresses public safety regarding medication safety concerns such as contraindications with other medication, labeling, storage, and supervision and informs them that there will be a pharmacy Board member attending their meetings in the future to provide support if needed. The Board reviewed the draft letter and requested that medication adherence be added as a function of the pharmacists as well as an offer for a member of the Board of Pharmacy to attend the Board of Medical Licensure and Discipline to offer dialogue and support for these concerns. These changes will be made and the letter will be forwarded to Mr. Mangler and to the Board of Medical Licensure and Discipline.

Dispensing of Naloxone – Jamie Mack, Division of Public Health – tabled until the Board receives notification of availability for the presenter.

COMMITTEE REPORTS

Legislative – Jay Galloway, Kim Robbins, Tejal Patel, Hooshang Shanehsaz and Gayle MacAfee

Mr. Shanehsaz stated during the last committee meeting discussion regarding the “Freedom of Choice” signage requirement resulted in it being removed from the agenda. The committee continued its discussion regarding non-pharmacist dispensing and a draft letter was presented to the Board. This letter will be sent to the Board of Medical Licensure and Discipline. He stated that Pharmacy Technician licensure and/or registration has again become a topic of discussion since telemedicine has been approved. Continuing education logs were discussed as a means of satisfying an audit instead of sending 30 certificates. He stated that the logs have an ACPE number that includes an identifying number of the required courses. This should help alleviate paperwork and confusion for the 2018 audit. This will be taken to the Board for vote.

Continuing Education – Bonnie Wallner, Tejal Patel:

No Report

Consumer Affairs – Jay Galloway

No Report

Professional Liaisons – Kim Robbins, Tejal Patel and Hooshang Shanehsaz:

Ms. Robbins reported that there are pharmacists that are still not being provided a pharmacy technician as required in regulation 3.8. There is fear of losing their position if a complaint is filed. The Board discussed the patient safety concerns raised and requested that the regulation be addressed in the next newsletter. Regulation 3.8 holds the pharmacy permit holder responsible for technician coverage and this is an item that is reviewed during scheduled and non-scheduled inspections. Insufficient coverage could result in disciplinary action up to and including fine, suspension and revocation of the pharmacy permit.

Controlled Substance Liaisons – Tejal Patel, Hooshang Shanehsaz, Jay Galloway:

None

INSPECTION and PMP REPORT - Michelle McCreary, Samantha Nettesheim

Ms. McCreary stated she has completed the following inspections:

- 1 – Remodel Inspection
- 1 – Re-Inspection
- 1 – Pre-Construction Inspection
- 2 – Pre-Construction Expansion Inspections
- 1 – Wholesale Distributor Inspection

Ms. McCreary also stated that she has had conversation with practitioners on the relevance of having the correct contact information (location) on their prescriptions and the difficulty the pharmacist is faced with in trying to communicate with the practitioner.

Ms. Nettesheim provided PMP information concerning Federal Veterans Administration and how their employees can register for the PMP. It has to be completed manually by the PMP Administrator via a written

request. The Veterans Administration has had the ability to report to the PMP since 2013. Reporting actually began March 1, 2014. They are required to report by federal statute.

The Pharmacist in Charge at Dover Air Force Base inquired if the pharmacy is required to report to the PMP. The state doesn't prohibit reporting however, it is not required federally.

Mr. Mangler stated that the Executive Secretary position will be posted by NABP to make state Boards aware of the opening. This should assist in getting a larger pool of candidates.

Ms. Nettesheim also stated that out of state registrants were previously allowed access to the PMP. However, since Pennsylvania PMP is now active, out of state registrants are no longer provided access. The ability to properly vet out of state registrants is not viable.

NEWSLETTER UPDATES

The Board requested that the following topics be added to the next available publishing of the newsletter: Information on Regulation 3.8 Pharmacy Technician staffing requirements, Letter from the Board outlining concerns regarding proper communication by a pharmacist.

BOARD CORRESPONDENCE

OTHER BUSINESS BEFORE THE BOARD

Mr. Mangler provided an update on the sale of Health Information Designs (HID) to Appriss; the migration to the new system usually takes 90 days. There will be detailed reviews of the training guides which will be updated as required as well as communications sent to users. Version 1 of Narc's Care should roll out in August 2017 by Appriss. This provides more detailed information and includes alerts of possible prescribing issues and graphic representations for ease of use. Mr. Mangler will provide the Board an example of a report next meeting. Migration to AwareRx (PMP) should occur at the same time to reduce confusion. He also stated that 44 states are in sharing mode on the Appriss platform. Previous hub issues may be overcome once the Appriss platform is utilized.

PUBLIC COMMENT

Mr. Musto stated that CMS is continuing its work on collaborative care as well as getting pharmacists recognized as health care practitioners. He requested that the Board review the models that the American Pharmaceutical Association has available and begin working on regulation to support these efforts.

NEXT SCHEDULED MEETING

The next meeting is scheduled for April 19, 2017 at 9:30 Am., 2nd Floor Conference Room.

ADJOURNMENT

There being no other business before the Board a motion to adjourn the meeting was made by Ms. Robbins and seconded by Ms. Patel at 12:14 pm. The motion unanimously carried.

Respectfully submitted,



Christine Mast
Administrative Specialist III
Liaison, Board of Pharmacy